

Customer No.:



07278

PATENT TRADEMARK OFFICE



Docket No.: 3824/OJ615

#3

**DECLARATION
AND POWER OF ATTORNEY
Original Application**

As a below named inventor, I declare that the information given herein is true, that I believe that I am the original, first and sole inventor if only one name is listed at 1 below, or a joint inventor if plural inventors are named below, of the invention entitled:

MUTANT TRICHOSANTHIN

which is described and claimed in:

[X] the attached specification or [X] the specification in application Serial No. **09/905,247**, filed **JULY 13, 2001**
(for declaration not accompanying appl.)

that I do not know and do not believe that the same was ever known or used in the United States of America before my or our invention thereof or patented or described, in any printed publication in any country before my or our invention thereof, or more than one year prior to this application, or in public use or on sale in the United States of America more than one year prior to this application, that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to this application, that I acknowledge my duty to disclose information of which I am aware which is material to patentability in accordance with 37 CFR §1.56. I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I hereby claim the priority benefits under 35 U.S.C. §119 of any application(s) for patent or inventor's certificate listed below. All foreign applications for patent or inventor's certificate on this invention filed by me or my legal representatives or assigns prior to the application(s) of which priority is claimed are also identified below.

**ALL FOREIGN APPLICATIONS, IF ANY, FILED PRIOR
TO THE APPLICATION(S) OF WHICH PRIORITY IS CLAIMED**

<u>COUNTRY</u>	<u>APPLICATION NO.</u>	<u>DATE OF FILING</u>
CHINA	00119553.0	August 2, 2000
CHINA	01103102.6	January 18, 2001

POWER OF ATTORNEY:

As a named inventor, I hereby appoint the following attorney(s) and/or agents(s) to prosecute this application and transact all business in the Patent and Trademark office connected therewith: Gordon D. Coplein #19,165, Michael J. Sweedler #19,937, S. Peter Ludwig #25,351, Paul Fields #20,298, Marc S. Gross #19,614, Joseph B. Lerch #26,936, Melvin C. Garner #26,272, Ethan Horwitz #27,646, Adda C. Gogoris #29,714, Bert J. Lewen #19,407, Henry Sternberg #22,408, Peter C. Schechter #31,662, Robert Schaffer #31,194, Robert C. Sullivan, Jr. #30,499, Ira J. Levy #35,587, Joseph R. Robinson #33,448, Scott G. Lindvall #40,325, Paul F. Fehlner, Ph.D. #35,135, David Leason #36,195

all of the firm of DARBY & DARBY P.C., 805 Third Avenue, New York, NY 10022

SEND CORRESPONDENCE TO:

DARBY & DARBY P.C.
805 Third Avenue
New York, NY 10022

DIRECT TELEPHONE CALLS TO:

Joseph B. Lerch
212-527-7700

FULL NAME AND RESIDENCE OF INVENTOR 1

LAST NAME: KE

FIRST NAME: YI-BAO

MIDDLE NAME:

CITY: SHANGHAI

STATE OR FOREIGN COUNTRY: CHINA

COUNTRY OF CITIZENSHIP: CHINA

POST OFFICE ADDRESS: NO. 85, LANE 1, CHANG NAN ROAD,
XIN QIAO, SONGJIANG DISTRICT

CITY: SHANGHAI

STATE OR COUNTRY: CHINA

ZIP CODE: 201612

FULL NAME AND RESIDENCE OF INVENTOR 2

LAST NAME: NIE

FIRST NAME: HUI-LING

MIDDLE NAME:

CITY: SHANGHAI

STATE OR FOREIGN COUNTRY: CHINA

COUNTRY OF CITIZENSHIP: CHINA

POST OFFICE ADDRESS: ROOM 603, NO. 85
CHENG QIAO ER CUN, HONG QIAO ROAD

CITY: SHANGHAI

STATE OR COUNTRY: CHINA

ZIP CODE: 200336

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

SIGNATURE OF INVENTOR 1: Yi-Bao Ke DATED: Sep. 20, 2001

SIGNATURE OF INVENTOR 2: Huiling Nie DATED: Sep. 20, 2001